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10 Attorneys for Plaintiff  
Ena Charrise King

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

15 ENA CHARRISE KING, ) Case No.: 2:24-cv-01773-MDC  
16 Plaintiff, )  
17 vs. ) STIPULATION AND PROPOSED  
18 CAROLYN COLVIN, ) ORDER FOR THE AWARD AND  
Acting Commissioner of Social ) PAYMENT OF ATTORNEY FEES  
19 Security, ) AND EXPENSES PURSUANT TO  
20 Defendant. ) THE EQUAL ACCESS TO JUSTICE  
 ) ACT, 28 U.S.C. § 2412(d) AND  
 ) COSTS PURSUANT TO 28 U.S.C. §  
 ) 1920  
 )  
 )

22 TO THE HONORABLE MAXIMILIANO D. COUVILLIER,  
23 MAGISTRATE JUDGE OF THE DISTRICT COURT:

IT IS HEREBY STIPULATED, by and between the parties through their undersigned counsel, subject to the approval of the Court, that Ena Charrise King (“King”) be awarded attorney fees in the amount of one thousand five hundred

1 twenty-six dollars and seventy-five cents (\$1,526.75) under the Equal Access to  
2 Justice Act (EAJA), 28 U.S.C. § 2412(d), and no costs under 28 U.S.C. § 1920.  
3 This amount represents compensation for all legal services rendered on behalf of  
4 Plaintiff by counsel in connection with this civil action, in accordance with 28  
5 U.S.C. §§ 1920; 2412(d).

6 After the Court issues an order for EAJA fees to King, the government will  
7 consider the matter of King's assignment of EAJA fees to Marc Kalagian. The  
8 retainer agreement containing the assignment is attached as exhibit 1. Pursuant to  
9 *Astrue v. Ratliff*, 130 S.Ct. 2521, 2529 (2010), the ability to honor the assignment  
10 will depend on whether the fees are subject to any offset allowed under the United  
11 States Department of the Treasury's Offset Program. After the order for EAJA fees  
12 is entered, the government will determine whether they are subject to any offset.

13 Fees shall be made payable to King, but if the Department of the Treasury  
14 determines that King does not owe a federal debt, then the government shall cause  
15 the payment of fees, expenses and costs to be made directly to Law Offices of  
16 Lawrence D. Rohlffing, Inc., CPC, pursuant to the assignment executed by King.<sup>1</sup>  
17 Any payments made shall be delivered to Law Offices of Lawrence D. Rohlffing,  
18 Inc., CPC. Counsel agrees that any payment of costs may be made either by  
19 electronic fund transfer (ETF) or by check.

20 This stipulation constitutes a compromise settlement of King's request for  
21 EAJA attorney fees, and does not constitute an admission of liability on the part of  
22 Defendant under the EAJA or otherwise. Payment of the agreed amount shall  
23 constitute a complete release from, and bar to, any and all claims that King and/or  
24

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25 <sup>1</sup> The parties do not stipulate whether counsel for the plaintiff has a cognizable lien  
26 under federal law against the recovery of EAJA fees that survives the Treasury  
Offset Program.

1 Marc Kalagian including Law Offices of Lawrence D. Rohlwing, Inc., CPC, may  
2 have relating to EAJA attorney fees in connection with this action.

3 This award is without prejudice to the rights of Marc Kalagian and/or the  
4 Law Offices of Lawrence D. Rohlwing, Inc., CPC, to seek Social Security Act  
5 attorney fees under 42 U.S.C. § 406(b), subject to the savings clause provisions of  
6 the EAJA.

7 DATE: January 8, 2025 Respectfully submitted,

8 LAW OFFICES OF LAWRENCE D. ROHLFING, INC., CPC

9 /s/ *Marc V. Kalagian*<sup>2</sup>

10 BY:

11 Marc V. Kalagian  
Attorney for plaintiff  
ENA CHARRISE KING

12 DATED: January 8, 2025

13 JASON M. FRIERSON  
United States Attorney

15 /s/ *Franco L. Becia*

16 FRANCO L. BECIA  
17 Special Assistant United States Attorney  
18 Attorneys for Defendant  
CAROLYN COLVIN, Acting Commissioner of  
Social Security (Per e-mail authorization)

19 Approved and so ordered  
20 The Court finds the  
21 stipulated fees are  
22 reasonable.

23 ORDER

24 DATE: 1-10-25

25 THE HONORABLE MAXIMILIEN D. COUVILLIER  
UNITED STATES MAGISTRATE JUDGE

26 <sup>2</sup> Counsel for the plaintiff attests that all other signatories listed, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.

1                   **DECLARATION OF MARC V. KALAGIAN**

2                   I, Marc V. Kalagian, declare as follows:

- 3                   1. I am an attorney at law duly admitted to practice before this Court in this  
4                   case. I represent Ena Charrise King in this action. I make this  
5                   declaration of my own knowledge and belief.
- 6                   2. I attach as exhibit 1 a true and correct copy of the retainer agreement with  
7                   Ena Charrise King containing an assignment of the EAJA fees.
- 8                   3. I attach as exhibit 2 a true and correct copy of the itemization of time in  
9                   this matter.

10                  I declare under penalty of perjury that the foregoing is true and correct to the  
11 best of my knowledge and belief.

12                  Executed this January 8, 2025, at Santa Fe Springs, California.

13  
14                  /s/ *Marc V. Kalagian*

15                  \_\_\_\_\_  
16                  Marc V. Kalagian

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## **PROOF OF SERVICE**

**STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

I am employed in the county of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 12631 East Imperial Highway, Suite C-115, Santa Fe Springs, California 90670.

6 On this day of January 8, 2025, I served the foregoing document described  
7 as STIPULATION FOR THE AWARD AND PAYMENT OF ATTORNEY FEES  
8 AND EXPENSES PURSUANT TO THE EQUAL ACCESS TO JUSTICE ACT,  
9 28 U.S.C. § 2412(d) AND COSTS PURSUANT TO 28 U.S.C. § 1920 on the  
10 interested parties in this action by placing a true copy thereof enclosed in a sealed  
11 envelope addressed as follows:

12 Ms. Ena Charrise King  
13 7754 Pacemont Court  
Las Vegas, NV 89147

I caused such envelope with postage thereon fully prepaid to be placed in the  
United States mail at Santa Fe Springs, California.

16 I declare under penalty of perjury under the laws of the State of California  
17 that the above is true and correct.

18 I declare that I am employed in the office of a member of this court at whose  
19 direction the service was made.

**Marc V. Kalagian** \_\_\_\_\_  
TYPE OR PRINT NAME

*/S/ Marc V. Kalagian* \_\_\_\_\_  
SIGNATURE

**CERTIFICATE OF SERVICE  
FOR CASE NUMBER 2:24-CV-01773-MDC**

I hereby certify that I electronically filed the foregoing with the Clerk of the Court for this court by using the CM/ECF system on January 8, 2025.

I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system, except the plaintiff served herewith by mail.

/s/ Marc V. Kalagian

Marc V. Kalagian  
Attorneys for Plaintiff